

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Virgil Hendrickson,

Plaintiff,

v.

Case No. 11-14047
Honorable Sean F. Cox

Commissioners of Social Security,

Defendant.

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

Plaintiff brought this action seeking judicial review of the Commissioner's unfavorable decision disallowing benefits. Thereafter, the matter was referred to Magistrate Judge Michael Hluchaniuk for determination of all non-dispositive motions pursuant to 28 U.S.C. § 636(b)(1) and Report and Recommendation pursuant to § 636(b)(1)(B) and (C).

Thereafter, the parties filed cross-motions for summary judgment. In a Report and Recommendation ("R&R") issued on August 16, 2012, Magistrate Judge Hluchaniuk recommended that this Court: 1) Deny Plaintiff's Motion for Summary Judgment; and 2) Grant the Commissioner's Motion for Summary Judgment, affirming the findings and conclusions of the Commissioner.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall

make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

On August 20, 2012, however, Plaintiff filed a motion noting that his objections had to be filed by August 30, 2012, and seeking an extension of time to file objections. (Docket Entry No. 14). In an Order issued on September 5, 2012, this Court granted that motion in part and ordered that "Plaintiff's Objections to the Magistrate Judge's Report and Recommendation shall be filed on or before **September 10, 2012.**" (Docket Entry No. 15) (bolding in original).

The extended time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R.

The Court hereby ADOPTS the August 16, 2012 R&R. IT IS ORDERED that Plaintiff's Motion for Summary Judgment is DENIED.

IT IS FURTHER ORDERED that the Commissioner's Motion for Summary Judgment is GRANTED and that the Commissioner's findings and conclusions are AFFIRMED.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: September 12, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 12, 2012, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager